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Agenda item 101

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

Report of the First Committee

Rapporteur: Mr. Knut **Langeland** (Norway)

I. Introduction

1. The item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" was included in the provisional agenda of the sixty-seventh session of the General Assembly in accordance with Assembly resolution 66/65 of 2 December 2011.

2. At its 2nd plenary meeting, on 21 September 2012, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 1st meeting, on 5 October 2012, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 86 to 102. From 8 to 12 and on 15 and 16 October, the Committee held a general debate on those items and had an exchange of views with the High Representative for Disarmament Affairs and other high-level officials, including on follow-up to resolutions and decisions adopted at previous sessions (see A/C.1/67/PV.2-8). The Committee also held 10 meetings, from 17 to 19 and from 22 to 25 October, and on 1 and 2 November, for a thematic debate and panel discussions with independent experts (see A/C.1/67/PV.9-18). At the 9th to 18th meetings, from 17 to 19 and from 22 to 25 October, and on 1 and 2 November, draft resolutions were introduced and considered (see A/C.1/67/PV.9-18). The Committee took action on all draft resolutions and decisions at the 18th to 22nd meetings, on 2 and from 5 to 7 November (see A/C.1/67/PV.18-22).

4. No documents were submitted for consideration under this item.

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II. Consideration of draft resolution A/C.1/67/L.29

5. At the 13th meeting, on 22 October, the representative of Hungary introduced a draft resolution entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction" (A/C.1/67/L.29) and orally revised operative paragraph 10 by replacing the words "meeting of States parties" by the words "meetings of States parties".

6. At the 22nd meeting, on 7 November, the Secretary of the Committee read out a statement by the Secretary-General concerning the financial implications of draft resolution A/C.1/67/L.29.

7. At the same meeting, the Committee adopted draft resolution A/C.1/67/L.29, as orally revised, without a vote (see para. 8).

III. Recommendation of the First Committee

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are one hundred and sixty-five States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[1] including all the permanent members of the Security Council,

Reaffirming its call upon all signatory States that have not yet ratified the Convention to do so without delay, and calling upon those States that have not signed the Convention to become parties thereto at the earliest possible date, thus contributing to the achievement of universal adherence to the Convention,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the review conferences of the parties to the Convention, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[2] later amended by the Final Declaration of the Seventh Review Conference,[3] and to provide such information and data in conformity with the standardized procedure to the Implementation Support Unit within the Office for Disarmament Affairs of the Secretariat on an annual basis and no later than 15 April,

Welcoming the reaffirmation made in the Final Declarations of the Fourth,[4] Sixth[5] and Seventh Review Conferences that under all circumstances the use of bacteriological (biological) and toxin weapons and their development, production and stockpiling are effectively prohibited under article I of the Convention,

Recognizing the importance of ongoing efforts by States parties to enhance international cooperation, assistance and the fullest possible exchange in biological sciences and technology for peaceful purposes, recognizing also that there still remain challenges and obstacles to be overcome in order to enhance international cooperation, and recognizing further the value of building capacity through

[1] United Nations, *Treaty Series*, vol. 1015, No. 14860.

[2] See BWC/CONF.III/23, part II.

[3] See BWC/CONF.VII/7 and Corr.1, part II.

[4] See BWC/CONF.IV/9, part II.

[5] See BWC/CONF.VI/6, part II.

international cooperation, in line with the Final Document of the Seventh Review Conference,[6]

Reaffirming the importance of national measures, in accordance with constitutional processes, in strengthening the implementation of the Convention by States parties, in line with the Final Document of the Seventh Review Conference,

Reaffirming also the importance of the review of developments in the field of science and technology related to the Convention,

Noting the decision of the Seventh Review Conference to retain the previous structures from the 2003-2010 intersessional process, consisting of annual meetings of States parties preceded by annual meetings of experts, and to continue to allocate five days to each meeting of States parties and each meeting of experts during the 2012-2015 intersessional process,[7]

Recalling the decision of the Seventh Review Conference that the Eighth Review Conference shall be held in Geneva not later than 2016,[7]

1. *Notes with satisfaction* the successful outcome of and the decisions on all provisions of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction[6] reached at the Seventh Review Conference of the States Parties to the Convention, and calls upon States parties to the Convention to participate and actively engage in their implementation;

2. *Notes with appreciation* the decision of the Seventh Review Conference that the standing agenda items entitled "Cooperation and assistance, with a particular focus on strengthening cooperation and assistance under Article X", "Review of developments in the field of science and technology related to the Convention" and "Strengthening national implementation" shall be addressed at both the meeting of experts and the meeting of States parties, every year from 2012 to 2015;[7]

3. *Also notes with appreciation* that the Seventh Review Conference decided that the questions of (a) how to enable fuller participation in the confidence-building measures, and (b) how to strengthen implementation of article VII, including consideration of detailed procedures and mechanisms for the provision of assistance and cooperation by States parties, shall be discussed in 2012 and 2013 and 2014 and 2015, respectively, during the 2012-2015 intersessional process;[7]

4. *Notes with satisfaction* that the restructured meeting of experts, held in Geneva from 16 to 20 July 2012, successfully addressed topics under the three standing agenda items and the biennial item on the agenda;

5. *Appreciates* the information and data on confidence-building measures provided to date, notes with satisfaction the adoption of the revised reporting forms for confidence-building measures agreed upon at the Seventh Review Conference,[3] and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed upon at the Third Review Conference;[2]

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[6] BWC/CONF.VII/7 and Corr.1.

[7] Ibid., part III.

6. *Notes with appreciation* the decision of the Seventh Review Conference on the establishment of a database to facilitate requests for and offers of exchange of assistance and cooperation, and urges States parties to submit to the Implementation Support Unit, on a voluntary basis, requests and offers of cooperation and assistance, including in terms of equipment, materials and scientific and technological information regarding the use of biological and toxin agents for peaceful purposes;

7. *Encourages* States parties to provide, at least biannually, appropriate information on their implementation of article X of the Convention and to collaborate to offer assistance or training, upon request in support of the legislative and other implementation measures of States parties needed to ensure their compliance with the Convention;

8. *Notes with satisfaction* the decision of the Seventh Review Conference on the establishment of a sponsorship programme in order to support and increase the participation of developing States parties in the meetings of the intersessional programme,[7] and calls upon States parties in a position to do so to offer voluntary contributions for the programme;

9. *Notes with appreciation* the work of the Implementation Support Unit during the 2007-2010 intersessional process and the Seventh Review Conference, and welcomes the decision of the Seventh Review Conference to renew its mandate and request the Unit to perform, in addition to the tasks mandated by the Sixth Review Conference, two tasks for the period from 2012 to 2016, in order to support, as appropriate, the implementation by the States parties of the decisions and recommendations of the Seventh Review Conference;[7]

10. *Requests* the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention, to provide such services as may be required for the implementation of the decisions and recommendations of the review conferences and to render the necessary assistance and to provide such services as may be required for the meetings of experts and the meetings of States parties during the 2012-2015 intersessional process;

11. *Decides* to include in the provisional agenda of its sixty-eighth session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".